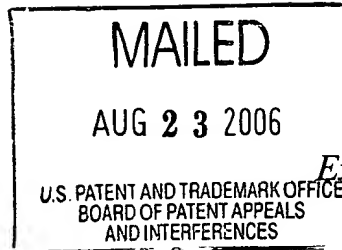


UNITED STATES PATENT AND TRADEMARK OFFICE



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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* FRANK RUI-FENG CHU, NOBORU KAMIJO,  
and DENNY DUAN-LEE TANG

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Application 09/768,829

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was electronically received at the Board of Patent Appeals and Interferences (hereinafter the "Board") on August 1, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On July 22, 2005, the Board mailed an Order Returning Undocketed Appeal wherein the Board stated that it was not clear from the record as to whether or not the examiner had considered the Information Disclosure Statements (IDS') filed on December 8, 2004 and May 9, 2005. In a

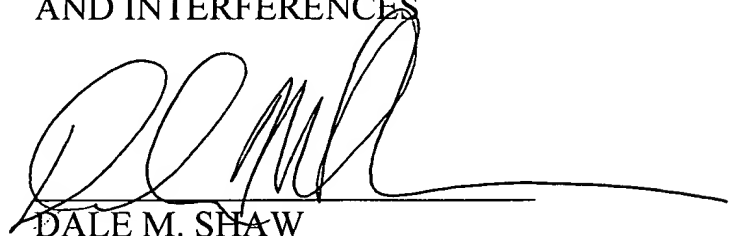
Application No. 09/768,829

communication mailed August 26, 2005, the examiner indicates that the IDS filed on May 9, 2005 had been considered and provided a completed PTO Form 1449. However, it is still unclear on the record as to the status of the IDS filed on December 8, 2004.

Accordingly, it is

ORDERED that the application is returned to the examiner for consideration of the IDS filed on December 8, 2004, written notification to appellants of such consideration, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

A handwritten signature in black ink, appearing to read 'DMS', is written over a horizontal line.

DALE M. SHAW  
Deputy Chief Appeals Administrator  
(571) 272-9797

cc: Lacasse & Associates, LLC  
1725 Duke Street  
Suite 650  
Alexandria, VA 22314

DMS:clm